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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/092,199

03/04/2002

Jiaping Song

SLA 1167

8581

55286

7590

02/28/2006

SHARP LABORATORIES OF AMERICA, INC.
C/O LAW OFFICE OF GERALD MALISZEWSKI
P.O. BOX 270829
SAN DIEGO, CA 92198-2829

EXAMINER

QIN, YIXING

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/092,199	Applicant(s) SONG, JIAPING	
	Examiner Yixing Qin	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-11 and 13-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-11 and 13-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 March 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/15/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

In response to applicant's amendment received 12/2/05, all requested changes have been entered.

Response to Arguments

Applicant's arguments, filed 12/2/05, with respect to the rejection(s) of claim(s) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Kakigi et al (US Pub No. 20020054350). The Examiner would like to point out that various functions such as duplex printing, collating, etc. are known to be performed on a document on either a printer or a computer. The Examiner believes the Shiota reference, as cited before, still suggests the idea of printing time stamp information on a printer control panel in combination with Kakigi because Kakigi discloses that a camera can directly send the time stamp information directly to the printer. The background of the present application discloses that there is no process of printing the time stamp with an image using a conventional printer, but the fact that the Kakigi reference discloses the sending of time stamp information to a printer suggests that this information can be edited and printed. The Shiota reference provides a program that has the capabilities of the applicant's invention except that it is done on the computer. Combined with Kakigi though, the Examiner believes that one of ordinary skill would be able to edit the image and time stamp information using just a digital camera and a printer.

The controlling of time stamp information on a printer's control panel is analogous to if an user were to choose well-known options such as duplex printing or collating options. One knows that these common options can be chose on either a computer or a printer's control panel. The time stamp information is simply another type of data that can be manipulated. Since Kakigi clearly discloses that this information is available in the printer without the use of a computer, the manipulation of this data on the printer's control panel would seem obvious due to the fact that printing time stamped photographs or image has been known prior to the use of digital cameras.

Please read the rejection below for more detail.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

I. Claims 1, 3-7, 10, 11, and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakigi et al (U.S. PUB No. 2002/0054350) and in view of Shiota (U.S. Patent No. 6,185,000).

1. Claim 1

- One can see from Fig. 1 of Kakigi that a printer can receive data from a memory card of the camera. The card contains data (i.e. **time stamp**) information as seen in item 110.
- Kakigi discloses in paragraph [0022] that a bit map image is generated from the data read. It would be obvious to one of ordinary skill that the time stamp

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information to be converted to bit map as well since it is a known that printers are common to convert data into bit map information.

- One can see in Fig. 26 of Kakigi, that the image and date information can be displayed.
- Kakigi discloses in the 4th and 5th lines of paragraph [0122] that there is an editing means for editing the image forming instruction data (see Fig. 5 – the last time of item 23 discloses inherent image information such as a date) in the data processor. Kakigi discloses in paragraph [0148] that the data processor 101 is in the printer of Fig. 1.
- Although Kakigi does not explicitly disclose that the date (i.e. time stamp) is embedded in the image after editing, it would be inherent that this is so, since the Kakigi reference discloses the date information as part of the inherent image information in item 23 of Fig. 5.
- As previously mentioned, the Shiota reference disclosed that the time stamp editing can be done through a computer then sent to a printer. However, the Kakigi reference alludes to the fact that there are multiple ways to process images (i.e. directly from the camera to the printer, or from the camera to a computer then to the printer – similar to the embodiments in the applicant's specification). Thus, it would be obvious that one of ordinary skill in the art can modify Kakigi's invention to include an editing program like the one in Shiota on the printer since one of Kakigi's main points is that the involvement computer is not necessary and processing can be performed on the printer (or even the camera) itself.
- Both Kakigi and Shiota are in the art of printing images with time stamps from a digital camera. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to improve the capabilities of the Kakigi invention by using the time stamp editing program of Shiota in the Kakigi invention's printer.

2. Claim 3

- One can see in Fig. 5 of Kakigi that the 4th bullet of item 23 is a format of the file.
- Paragraphs [0272] and [0275] of Kakigi describe that there is a video controller 103 that can read on the **first format interpreter** since it contains the image data forming portion 403 for generating the bit map data for printing.
- One can see from the drawings that it can get data from the memory card 110.

3. Claim 4

- Paragraph [0453] and Fig. 35 of Kakigi discloses that a date can be outputted into, for example, Bin1, of the printer. Although one sees this on the camera's screen, Fig. 43 discloses one could choose to do this on a printer's panel as well.

4. Claims 5 and 14

- Paragraph [0008] of Kakigi discloses JPEG, TIFF, etc as conventional image formats.

5. Claims 6 and 15

- Kakigi does only mention that there are editing means for the image forming instruction data as disclosed above in claim 1 and does not go into detail about the layout of the time stamp. However, the Shiota reference, discloses time stamp layouts in Fig. 1. Again, as discussed in claim 1, it would be obvious to apply the time stamp editing program of Shiota to Kakigi's invention's printer since one of the main points of Kakigi was that the data can be processed at a camera, a computer, or at the printer.

6. Claims 7 and 16

- One can see in Fig. 1 of Shiota that item 9 has a font type.

7. Claim 10

- This claim has been discussed in claims 1, 4 and 5 above.

8. Claim 11

- One can see in Figs. 1 and 5 that the printer of Kakigi can receive information from a memory card of the printer. The controller would be item 103 – video controller – of Fig. 8 and 13.
- Kakigi discloses in paragraph [0022] that a bit map image is generated from the data read. It would be obvious to one of ordinary skill that the time stamp information to be converted to bit map as well since it is a known that printers are common to convert data into bit map information.
- Paragraph [0453] and Fig. 35 of Kakigi discloses that a date can be outputted into, for example, Bin1, of the printer. Although one sees this on the camera's screen, Fig. 43 discloses one could choose to do this on a printer's panel as well. (i.e. user can prompt to print the time stamp)
- One can see from Fig. 8 that the video controller can supply information to the engine controller 105.

9. Claim 13

- Kakigi discloses in the 4th and 5th lines of paragraph [0122] that there is an editing means for editing the image forming instruction data (see Fig. 5 – the last time of item 23 discloses inherent image information such as a date) in the data processor
- Again, see claim 6 above for the discussion of image editing using the printer's front panel.

II. Claims 8, 9, 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakigi et al (U.S. PUB No. 2002/0054350) in view of Shiota (U.S. Patent No. 6,185,000) and further in view of Kobori et al (U.S. Patent No. 5,028,993).

10. Claims 8, 9, 17 and 18

- One can see in Fig. 1 of Shiota that the date of recording is some text that is superposed on the printed image. Neither reference goes into great detail about the overlaying of the time stamp with the image. However, the synthesizing of images with text, background, etc. is known. The tertiary reference, Kobori, discloses in Figs. 2, 3, and 4 that various texts and background can be synthesized with an image. Column 3, lines 66-68 and column 4, lines 1-19 of Kobori discloses that it is the system controller that controls the various overlaying. One of ordinary skill would know that control panels are well known to be the interface by which a user can control a printer.
- All three references are in the art of manipulation and printing of images. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to improve Kakigi's invention with Shiota's and Kobori's editing capabilities. The motivation would be to allow users more flexibility in customizing their images.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

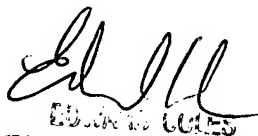
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381. The examiner can normally be reached on M-F 9:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571)272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YQ


EDWARD COLES
SUPERVISOR, ART UNIT 2622
TECHNICAL CENTER